

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division

UNITED STATES OF AMERICA

v.

DANIEL M. LOFARO,

Defendant.

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Criminal Action No. 1:23-cr-156 (RDA)

ORDER

This matter comes before the Court on Defendant's Motion for Leave to File In Camera, and Under Seal. Dkt. 102. Specifically, Defendant requests to "[s]ubmit forthcoming filings in camera, [p]roceed under seal, [and h]ave the record of proceedings sealed in its entirety. *Id.* at 1. Although Defendant's case is closed and his case unappealed, a review of Defendant's Motion suggests that Defendant intends to file a motion for a sentence reduction pursuant to the compassionate release statute, 18 U.S.C. § 3582.

Defendant has previously filed materials in this criminal case under seal when they pertain to his physical or mental health. He may continue to do so pursuant to Local Criminal Rule 49(E). It is unclear whether in seeking to file materials "in camera" Defendant intends to refer to filing materials "ex parte." In any event, Defendant has provided no legitimate reason for any future filings by him to be filed "in camera," or in private discussion with the Court. Nothing in Defendant's Motion suggests that the materials he wishes to file are so sensitive in nature that they should be reviewed in camera. Moreover, to the extent Defendant seeks to seal the entire case, including matters on which the Court has previously ruled, Defendant's Motion will be denied. It is well-established that the public has a right of access to court proceedings and documents. *See Press-Enter. Co. v. Superior Ct. of California, Riverside Cnty.*, 464 U.S. 501 (1984). And there is no countervailing interest here that is sufficient to overcome that interest with respect to matters previously adjudicated in open court or with respect to matters not related to Defendant's health.


Accordingly, it is hereby

ORDERED that Plaintiff's Motion (Dkt. 102) is GRANTED-IN-PART and DENIED-IN-PART. The Motion is denied insofar as Defendant seeks to file matters in camera or ex parte or to seal the entire case. The Motion is granted insofar as Defendant seeks leave to file materials related to his health under seal.

The Clerk is directed to forward copies of this Order to Defendant and counsel of record.

It is SO ORDERED.

Alexandria, Virginia
June 23, 2025

/s/ 

Rossie D. Alston, Jr.
United States District Judge